

SENATE BILL No. 238

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-4-3-9.

Synopsis: Consent for annexation. Exempts a town that is located in a different county than a second or third class city from obtaining the consent of the second or third class city before annexing territory within three miles of the city.

Effective: January 1, 2004 (retroactive).

Drozda

January 4, 2005, read first time and referred to Committee on Governmental Affairs and Interstate Cooperation.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 238

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 36-4-3-9 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JANUARY 1, 2004 (RETROACTIVE)]: Sec. 9. (a) A
3 town must obtain the consent of both the metropolitan development
4 commission and the legislative body of a county having a consolidated
5 city before annexing territory within the county where a consolidated
6 city is located.

7 (b) This subsection does not apply to ~~the following~~:

8 (1) ~~A town:~~

9 (A) ~~located in a county having a population of more than four~~
10 ~~hundred thousand (400,000) but less than seven hundred~~
11 ~~thousand (700,000); and~~

12 ~~(B) that has a population of more than thirty thousand~~
13 ~~(30,000);~~

14 (2) a town

15 (A) ~~located in a county having a population of more than one~~
16 ~~hundred eighty thousand (180,000) but less than one hundred~~
17 ~~eighty-two thousand seven hundred ninety (182,790);~~



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1 ~~(B) having a population of more than thirty thousand (30,000);~~
 2 ~~and~~
 3 ~~(C) located in a different county than~~ **a second or third**
 4 **class city.**
 5 A town must obtain the consent of the legislative body of a second or
 6 third class city before annexing territory within three (3) miles of the
 7 corporate boundaries of the city.
 8 (c) Each municipality that is known as an included town under
 9 IC 36-3-1-7 is also considered a town for purposes of this section.
 10 **SECTION 2. An emergency is declared for this act.**

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